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April 30, 2020

**APPLICATION GRANTED**

**SO ORDERED**

**VERNON S. BRODERICK**

**U.S.D.J.** 5/1/2020

**Via ECF**

Hon. Judge Vernon S. Broderick  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

RE: Dunston v. 787 Coffee Roasters LLC and AJAL, L.P.  
Civil Case No. 1:19-cv-09055 (VSB)  
Joint Request to Extend Compliance Dates

Dear Judge Broderick:

We are attorneys for AJAL, L.P., the owner and landlord of the subject property located at 131 East 7<sup>th</sup> Street, New York, New York (the “Property”), and a defendant in the referenced case. The case was filed under the Americans with Disabilities Act [42 U.S.C. § 12181, et. seq.], and concerns accessibility issues at the Property. Reference is made to the Court’s Order and Notice of Initial Case Conference (, ECF Doc. No. 21, filed on March 31, 2020.

This letter application is being submitted jointly with Plaintiff’s counsel, Maria Costanza Barducci, Esq., of the Barducci Law Firm, to request a 45 day extension of the date set forth in the Order for the parties to file a joint letter and proposed case management plan and scheduling order. Counsel’s joint letter and proposed case management plan and scheduling order are due tomorrow, April 30, 2020, pursuant to the Order. Counsel jointly request that the date for the filing of the joint letter and proposed case management plan and scheduling order be extended to June 15, 2020. There has been no prior request for an extension of the date for counsel to file the joint letter and proposed case management plan and scheduling order, and this application is being made on consent of all parties who have appeared in the case.

The reasons for this request are (i) the parties are continuing to discuss settlement and are hopeful to resolve the case within the next 45 days; (ii) the tenant of the Property is currently closed due to the Covid-19 crisis and Executive Order of the Governor of the State of New York, which have substantially affected the tenant’s retail café business; (iii) the resolution of the case depends in part on whether the tenant plans to

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re-open its business at the Property after the social restrictions are relaxed, and whether the tenant will comply with the terms of its lease.

Thank you very much for your consideration of the foregoing request.

Respectfully submitted,

*Jay B. Solomon*  
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cc: Maria Costanza Barducci, Esq. (by ECF)